

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	<b><u>FINAL ORDER OF FORFEITURE</u></b>
-v.-	:	
	:	22 Cr. 450 (RA)
JAMES GARCIA,	:	
	:	
Defendant.	:	
	:	
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WHEREAS, on or about November 10, 2022, this Court entered a Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (the “Preliminary Order of Forfeiture”) (D.E. 13), which ordered the forfeiture to the United States of all right, title and interest of JAMES GARCIA (the “Defendant”) in the following property:

- a. One (1) Zenith Quest International 9mm Luger Caliber full metal jacket, seized by the Government from the Defendant’s car after his August 10, 2022 arrest;

(the “First Specific Property”);

WHEREAS, on or about May 3, 2023 the Court entered a Second Preliminary Order of Forfeiture as to Specific Property (the “Second Preliminary Order of Forfeiture”) (D.E. 23) with respect to JAMES GARCIA (the “Defendant”), forfeiting to the United States all right, title and interest of the Defendant in the following specific property:

- a. One (1) multicolored link watch, serial number 733717
- b. Two (2) pair of brown Nike sneakers;
- c. One (1) Polo red/blue/yellow vest jacket with a green hood
- d. One (1) black Schok cellphone
- e. Twenty-two (22) multicolored Polo Shirts

- f. Eleven (11) pairs of pants, including: Eight (8) pairs of Polo pants  
One (1) pair of Dior pants, One(1) pair of Tommy Hilfiger pants, and  
One (1) pair of Lululemon pants;
- g. Seven (7) hats of various brands
- h. Three (3) multicolored belts
- i. Two (2) multicolored handkerchiefs
- j. Six (6) pairs of reading glasses and (2) pair of black sunglasses
- k. One (1) pair of white headphones and One (1) white ear bud case
- l. One (1) call of Duty Vanguard video game
- m. Two (2) multi-colored gloves
- n. One (1) blue JBL speaker
- o. One (1) multicolored Baseus vacuum
- p. One (1) Polo dark green/brown luggage
- q. One (1) Theragun massager with attachments, charger, and container
- r. Seventeen (17) pairs of sneakers of various brands
- s. Eleven (11) multicolored jackets and coats
- t. One (1) maroon luggage
- u. One (1) extra space storage card in the name of Noel Rodriguez
- v. One (1) credit/debit card with account number XXXX2685 in the name  
of Elizabeth Na issued by Rippling; and
- w. One (1) credit/debit card with account number XXXX7921 in the name  
of Eric E. Ramirez issued by Capital One Bank;

(a. through w. collectively the “ Second Specific Property”, together with the “First Specific Property”, the “Specific Property”).

WHEREAS, the Preliminary Orders of Forfeiture directed the United States to publish, for at least thirty (30) consecutive days, notice of the Preliminary Order of Forfeiture and Second Preliminary Order of Forfeiture, notice of the United States' intent to dispose of the Specific Property, and the requirement that any person asserting a legal interest in the Specific Property must file a petition with the Court in accordance with the requirements of Title 21, United States Code, Sections 853(n)(2) and (3). Pursuant to Section 853(n), the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Specific Property and as a substitute for published notice as to those persons so notified;

WHEREAS, the provisions of Title 21, United State Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require publication of a notice of forfeiture and of the Government's intent to dispose of the Specific Property before the United States can have clear title to the Specific Property;

WHEREAS, the Notice of Forfeiture and the intent of the United States to dispose of the First Specific Property was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) beginning on November 29, 2022, for thirty (30) consecutive days, through December 28, 2022, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and proof of such publication was filed with the Clerk of the Court on May 1, 2024 (D.E. 35);

WHEREAS, the Notice of Forfeiture and the intent of the United States to dispose of the Second Specific Property was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) beginning on July 13, 2023, for thirty (30) consecutive days, through August

11, 2023, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and proof of such publication was filed with the Clerk of the Court on May 1, 2024 (D.E. 36);

WHEREAS, thirty (30) days have expired since final publication of the Notices of Forfeiture and no petitions or claims to contest the forfeiture of Specific Property have been filed;

WHEREAS, the Defendant is the only person and/or entity known by the Government to have a potential interest the Specific Property;

WHEREAS, the Defendant's request to have his property returned or the proceeds of the specific property be applied to his restitution obligation was denied by the Court;

WHEREAS, pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2);

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the First Specific Property and Second Specific Property is hereby forfeited and vested in the United States of America, and shall be disposed of according to law.

2. Pursuant to Title 21, United States Code, Section 853(n)(7) the United States of America shall and is hereby deemed to have clear title to the First Specific Property and Second Specific Property.

3. The United States Marshals Service (or its designee) shall take possession of the First Specific Property and Second Specific Property and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

Dated: New York, New York  
May 1, 2024

SO ORDERED:

A handwritten signature in blue ink, appearing to read 'R. Abrams', is written over a horizontal line.

HONORABLE RONNIE ABRAMS  
UNITED STATES DISTRICT JUDGE